THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO: 612 of 2006

Dated: 03-04-2006

Between:

Dronavalli Kamala

..... PETITIONER

AND

The Principal Secretary to Government,

Tribal Welfare Department,

Secretariat, Hyderabad and four others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 612 of 2006

O R D E R:

The petitioner claims to be in possession and enjoyment of small extent of land i.e. 0.05 kts situated at Manuguru village, Manuguru Mandal having succeeded

the same from her husband late Venkateswara Rao. It is stated that her husband purchased the said land under an agreement of sale dated 05-05-1962 from the father of the fifth respondent for a valid consideration. It is further stated that the third respondent-Special Deputy Collector, Bhadrachalam having *suo motto* taken up proceedings under provisions of A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970, passed *ex parte* order of eviction dated 30-11-1987 against her husband in respect of the land in question. Having come to know about the same, she filed an application before the third respondent to set aside the *ex parte* order dated 30-11-1987. In pursuance thereof, the third respondent reopened the case and after making necessary enquiry, by order dated 27-11-1992, dropped all further proceedings holding that the provisions of A.P. Scheduled Areas Land Transfer Regulations 1 of 1959 are not attracted. On a report made by the Mandal Revenue Officer, Manugur, the Agent to the Government (District Collector) Khammam *suo motto* taken up an appeal being C.M.A.No.33 of 2002. Subsequently, the said appeal was transferred to the second respondent-Additional Agent to the Government and Project Officer, ITDA, Bhadrachalam, which was numbered as C.M.A.No.90 of 2003 and the same was allowed by order dated 17-09-2005 directing eviction of the petitioner from the land in question. Aggrieved by the same, the petitioner filed a statutory revision before the first respondent on 21-12-2005 within the stipulated period of 60 days an also sought for suspension of the order of eviction dated 17-09-2005. However, the first respondent failed to consider her request for grant of stay of operation of the order of eviction dated 17-09-2005 and in the meanwhile steps are being taken to dispossess the petitioner. Hence, this writ petition.

This Court, while order notice by order dated 06-01-2006, directed that *status quo* obtaining as on that day shall be maintained.

Having heard the learned counsel for both the parties and having regard to the fact that the statutory revision is pending, I am of the opinion that it would be appropriate to protect the possession of the petitioner till the disposal of the revision.

Accordingly, the writ petition is disposed of with a direction to the first respondent to dispose of the revision pending on its file, if not already disposed

of, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. Till such time, the order of *status quo* dated 06-01-2006 shall continue.

No costs.

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G. ROHINI, J

Dated: 03-04-2006

klp